

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application Of:)	Att.: Box Missing Parts
)	
Frederick J. DOJAN, et al.)	Group Art Unit: 3728
)	
Serial No. 10/767,211)	Examiner: TBD
)	
Filed: January 28, 2004)	Docket No. 005127.00275
)	
For: ARTICLE OF FOOTWEAR HAVING A)	
FLUID-FILLED BLADDER WITH A)	
REINFORCING STRUCTURE)	

SUBMISSION OF MISSING PARTS OF NONPROVISIONAL APPLICATION

Commissioner for Patents
Alexandria, VA 22313

Sir:

Pursuant to the Notice to File Missing Parts of Application dated June 15, 2004, Applicants hereby submit their executed Declaration in the above Application. The Commissioner is hereby authorized to charge deposit account 19-0733 for a total of \$2,874.00, which includes the basic filing fee of \$790.00, \$1,602.00 for 89 claims over 20, \$362.00 for 4 independent claims over 3, the \$130.00 surcharge as set forth in 37 C.F.R. §1.16(e), and \$430.00 for a two-month extension of time. Should any additional fees be necessary, the Commissioner is authorized to charge the cost of the additional fees to deposit account 19-0733.

The submission of these missing parts, and two month extension of time, is timely filed by virtue of its filing by facsimile on October 12, 2004. However, should any extension or additional fee be required for the filing of these papers, such extension is requested and the Commissioner is hereby authorized to charge said fee to our Deposit Account No. 19-0733.

Respectfully submitted,

By: 
Byron S. Kuzara, Registration No. 51,255

Banner & Witcoff, Ltd.
1001 G Street, N.W.
Washington, D.C. 20001-4597
Telephone: 503-425-6800

Dated: October 12, 2004



BANNER & WITCOFF, LTD.
INTELLECTUAL PROPERTY LAW

601 SW SECOND AVENUE, # 1900
PORTLAND, OREGON 97204

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FACSIMILE TRANSMITTAL SHEET

To:
Office of Initial Patent Examination -
Missing Parts

FROM:
Byron S. Kuzara

COMPANY:
USPTO

DATE:
October 12, 2004

FAX NUMBER:
703-746-4060

TOTAL No. OF PAGES:
15

RE:
App. No. 10/767,211

OUR REFERENCE No.:
005127.00275

If you do not receive all page(s) or have any problems receiving this transmission, please call:

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PHONE: 503-425-6800

COMMENTS:



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PTO/SB/97 (06-03)

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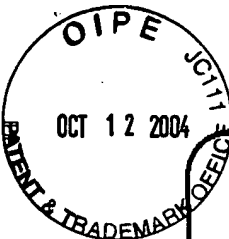
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certificate must identify each submitted paper.

Fee Transmittal (1 page)
Petition for Extension of Time (1 page)
Submission of Missing Parts (2 pages)
Executed Declaration (2 pages)
Copy of Notice to File Missing Parts (2 pages)
Supplemental Application Data Sheet (5 pages)

Serial No. 10/767,211
Attorney Docket No. 005127.00275

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-04)

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FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 3304

Complete If Known

Application Number 10/767,211
Filing Date 1/28/04
First Named Inventor Frederick J. Dojan, et al.
Examiner Name TBD
Art Unit 3728
Attorney Docket No. 005127.00275

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account

Deposit Account Number 19-0733

Deposit Account Name Banner & Witcoff, LTD.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1001	790		2001	395	Utility filing fee	790
	1002	350		2002	175	Design filing fee	
	1003	650		2003	275	Plant filing fee	
	1004	790		2004	395	Reissue filing fee	
	1005	160		2005	80	Provisional filing fee	

SUBTOTAL (1)

(\$ 790)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
109	-20 **	89	1802
Independent Claims	7	-3 **	4
Multiple Dependent	0		300

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description
	1202	16		2202	9	Claims in excess of 20
	1201	68		2201	44	Independent claims in excess of 3
	1203	300		2203	150	Multiple dependent claim, if not paid
	1204	68		2204	44	-- Reissue independent claims over original patent
	1206	16		2206	9	-- Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 1854)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Fee Code	Fee (\$)	Small Entity	Fee Code	Fee (\$)	Fee Description	Fee Paid
	1051	130		2051	65	Surcharge - late filing fee or oath	130
	1052	50		2052	25	Surcharge - late provisional filing fee or cover sheet	
	1053	130		2053	65	Non-English specification	
	1812	2,520		2812	2,520	For filing a request for reexamination	
	1804	920*		2804	920*	Requesting publication of SIR prior to Examiner action	
	1805	1,840*		2805	1,840*	Requesting publication of SIR after Examiner action	
	1251	110		2251	55	Extension for reply within first month	
	1252	430		2252	215	Extension for reply within second month	430
	1253	660		2253	490	Extension for reply within third month	
	1254	1,530		2254	765	Extension for reply within fourth month	
	1255	2,080		2255	1,040	Extension for reply within fifth month	
	1401	340		2401	170	Notice of Appeal	
	1402	340		2402	170	Filing a brief in support of an appeal	
	1403	300		2403	150	Request for oral hearing	
	1451	1,510		2451	1,510	Petition to institute a public use proceeding	
	1452	110		2452	55	Petition to revive - unavoidable	
	1453	1,370		2453	685	Petition to revive - unintentional	
	1501	1,370		2501	685	Utility issue fee (or reissue)	
	1502	480		2502	240	Design issue fee	
	1503	680		2503	330	Plant issue fee	
	1460	130		2460	130	Petitions to the Director	
	1807	50		2807	50	Processing fee under 37 CFR 1.17 (c)	
	1806	180		2806	180	Submission of Information Disclosure Statement	
	8021	40		2801	40	Recording each patent assignment per property (times number of properties)	
	1809	790		2809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
	1810	790		2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
	1801	790		2801	395	Request for Continued Examination (RCE)	
	1802	900		2802	900	Request for expedited examination of a design application	

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 560)

SUBMITTED BY

Name (Print/Type) Byron S. Kuzara

Registration No. (Attorney/Agent)

51,255

Telephone

503-425-6800

Signature

By S. Kuzara

Date

10/7/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is submitted to date 12 pursuant to compact, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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APPLICATION NUMBER	FILING OR 371 (e) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,211	01/28/2004	Frederick J. Dojan	005127.00275

CONFIRMATION NO. 2584

22909
BANNER & WITCOFF, LTD.
1001 G STREET, N.W.
WASHINGTON, DC 20001-4597

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JUN 17 2004

FORMALITIES LETTER



OC000000012943880

BANNER & WITCOFF

Date Mailed: 06/15/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of ~~\$1948~~ as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$2846** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.

10767211

190733

10/14/2004 JBALINAN 00000148

01 FC:1001 790.00 DA
02 FC:1201 352.00 DA
03 FC:1202 1602.00 DA
04 FC:1051 130.00 DA

- Total additional claim fee(s) for this application is **\$1946**

- **\$344** for 4 independent claims over 3.
- **\$1602** for 89 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
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*A copy of this notice **MUST** be returned with the reply.*



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